

**11 KAR 5:036. Leveraging Educational Assistance Partnership Program and Special Leveraging Educational Assistance Partnership Program eligibility.**

RELATES TO: KRS 164.744(2), 164.748(7), (8), 164.753(4), 164.7535, 34 C.F.R. 692.21, 692.40, 692.41, 692.53, 692.54, 668.32, 668.33

STATUTORY AUTHORITY: KRS 164.748(4), 164.753(4), 164.7535, 34 C.F.R. 692.21, 692.53

NECESSITY, FUNCTION, AND CONFORMITY: KRS 164.748(4) requires the authority to promulgate administrative regulations pertaining to the awarding of grants, scholarships, and honorary scholarships as provided in KRS 164.740 to 164.785. KRS 164.753(4) requires the authority to promulgate administrative regulations pertaining to grants. KRS 164.7535 authorizes the authority to adopt administrative regulations that conform to the requirements of federal laws and regulations for full participation in federally-funded student financial assistance programs. 34 CFR 692.21 and 692.53 require the state to provide assistance from federal funds only to students who meet certain eligibility requirements. This administrative regulation establishes student eligibility requirements to receive CAP grants funded through the federal Leveraging Educational Assistance Partnership Program and Special Leveraging Educational Assistance Partnership Program.

Section 1. Eligible students who demonstrate financial need in accordance with 11 KAR 5:110 through 11 KAR 5:130 and in accordance with 11 KAR 5:145 shall, to the extent of funds available for such purpose, be designated as receiving funds awarded under the Leveraging Educational Assistance Partnership Program and Special Leveraging Educational Assistance Partnership Program in amounts not exceeding the maximum awards set forth in 11 KAR 5:145.

Section 2. Federal Student Eligibility Requirements. In order to qualify for disbursement of a CAP grant funded through the federal Leveraging Educational Assistance Partnership Program and Special Leveraging Educational Assistance Partnership Program, a student shall meet the eligibility requirements established in 34 CFR 692.40, 692.54, 668.32, and the applicable citizenship and residency requirements in 34 CFR 668.33.

Section 3. Federal Student Eligibility Requirements Adopted Without Change. The subject matter of Section 2 of this administrative regulation is governed by the following federal administrative regulations adopted without change:

(1) 34 CFR 692.40, 52 Federal Register 45433, Nov. 27, 1987, as amended at 65 Federal Register 38730, June 22, 2000 (Volume 65, Number 121), effective June 22, 2000;

(2) 34 CFR 692.54, 65 Federal Register 65605, November 1, 2000 (Volume 65, Number 212), effective July 1, 2001;

(3) 34 CFR 668.32, 60 Federal Register 61810, Dec. 1, 1995, as amended at 63 Federal Register 40624, July 29, 1998; 64 Federal Register 57358, Oct. 22, 1999; 64 Federal Register 58291, Oct. 28, 1999, effective July 1, 2000; and

(4) 34 CFR 668.33, 60 Federal Register 61810, Dec. 1, 1995, effective July 1, 1996. (18 Ky.R. 3546; eff. 8-1-92; Am. 27 Ky.R. 3303; eff. 8-15-2001.)